

**REMARKS/DISCUSSION OF ISSUES**

Claims 1,2, and 4-11 are pending in the application upon entry of the present amendment.

Applicants gratefully recognize the acknowledgement of the claim of foreign priority.

***Rejections Under 35 U.S.C. § 103(a)***

The Office rejects claims 1-3, and 9-11 under 35 U.S.C. § 103(a) being unpatentable in view of *Holdcroft, et al.* (U.S. 5,561,030) in view of *Jonas, et al.* (U.S. 5,766,515).

The Office also rejects claims 1,2 and 4-7 under this section of the United States Code as being unpatentable over *Bortscheller, et al.* (U.S. 4,597,001) in view of *Jonas, et al.*

The Office also rejects claims 1,2 and 5-8 under this section of the United States Code as being unpatentable over *Tsumura, et al.* (U.S. 5,500,537) in view of *Jonas, et al.*

For at least the reasons set forth herein, independent claims 1 and 9, and the claims that depend directly or indirectly from claims 1 and 9 are patentable over the applied art.

It is established that a *prima facie* case of obviousness requires *that all of the elements* be found in the prior art. Necessarily, if *one element* of the prior art is missing from the applied art, a *prima facie* case of obviousness cannot be established. Moreover, obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is a teaching, suggestion or motivation to do so found in the references

relied upon or in the knowledge generally available to one having ordinary skill in the art. However, hindsight is never an appropriate motivation for combining references and/or knowledge generally available to one having ordinary skill in the art. Accordingly, relying upon hindsight knowledge of an applicant's disclosure when the prior art does not teach nor suggest such knowledge results in the use of the invention as a template for its reconstruction.

Claim 1 is drawn to an electronic component, which includes a relief structure (3) that "...comprises a plurality of electrodes(32), which are **spaced** at a distance of 10 $\mu$ m or less from one another."

Similarly, claim 9 is drawn to a relief structure "... wherein the relief structure comprises neighboring tracks, **which lie at a distance of 10  $\mu$ m or less from one another.**"

It is respectfully submitted that the applied art lacks at least a teaching of at least these claimed limitations. The Office asserts that the reference to *Holdcroft, et al.* includes this limitation. However, it is noted that the reference discloses laser ablation of poly(3-hexylthiophene) films to form patterns for **line widths** of  $2^n \mu\text{m}$ , where  $n=1-6$ . However, the reference does not disclose the spacings **between** these lines. As such, it is respectfully submitted that the method of *Holdcroft, et al.* lacks at least the referenced claim element of independent claims 1 and 9. (Please refer to column 12, lines 30-33 of the reference to *Holdcroft, et al.* for support for this assertion.)

With regard to the other references applied in the rejections of the Office Action, it is respectfully submitted

that these references do not disclose the claim limitations presently under discussion. In furtherance of this assertion, the Office Action did not reject claim 3, which included similar limitations, except in view of *Holdcroft, et al.* and *Jonas, et al.*

Without addressing these rejections, or the rejections of the dependent claims on their merits or conceding to their propriety; and without conceding the propriety of the combination of references, it is respectfully submitted that because the applied art lacks at least the teachings discussed above, it cannot serve as the basis for a *prima facie* case of obviousness. As such, these rejections are improper and should be withdrawn.

### **Conclusion**

In view of the foregoing, applicant(s) respectfully request(s): the withdrawal of all objections and rejections of record; the allowance of all the pending claims; and the holding of the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

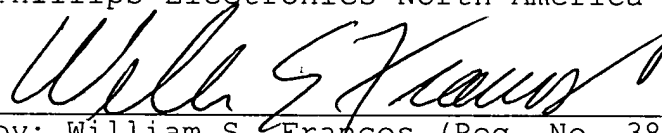
Except as otherwise stated in the previous Remarks, applicants note that each of the amendments have been made to place the claims in better form for U.S. practice or to clarify the meaning of the claims; not to distinguish the claims from prior art references, otherwise narrow the scope or comply with

other statutory requirements. Moreover, Applicants reserve all rights they may have under the Doctrine of Equivalents.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees under 37 C.F.R. \$1.16 or under 37 C.F.R. \$1.17.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact William S. Francos, Esq. (Reg. No. 38,456) at (610) 375-3513 to discuss these matters.

Respectfully submitted on behalf of:  
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